

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILBERT ROGERS, JR.,

Petitioner,

No. CIV S-03-2638 MCE DAD P

vs.

ANTHONY MALFI, Warden,

Respondent.

ORDER

Petitioner has requested the appointment of counsel. Petitioner has been informed that there is no absolute right to appointment of counsel in habeas proceedings, see Nevius v. Sumner, 105 F.3d 453, 460 (9th Cir. 1996), and that counsel may be appointed at any stage of the case "if the interests of justice so require," 18 U.S.C. § 3006A; Rule 8(c), Fed. R. Governing § 2254 Cases. The court does not find that the interests of justice require appointment of counsel at this stage of the case.

Accordingly, IT IS HEREBY ORDERED that petitioner's March 14, 2007 motion for appointment of counsel is denied.

DATED: March 27, 2007.



DALE A. DROZD
UNITED STATES MAGISTRATE JUDGE